# GOVERNMENT OF INDIA
# ENVIRONMENT AND FORESTS
# LOK SABHA

STARRED QUESTION NO:265
ANSWERED ON:12.12.2005
FOREST RIGHTS OF TRIBALS
Agarwal Shri Dhirendra;Panda Shri Prabodh

**Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:**

(a) whether the Government has taken steps to safeguard the rights of tribal people residing on forest lands for more than hundred years;

(b) if so, the details thereof;

(c) whether the Government has stopped the eviction process of forest dwellers;

(d) if not, whether any rehabilitation package has been provided for them; and

(e) if so, the details thereof?

## Answer

MINISTER OF STATE IN THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRI NAMO NARAIN MEENA)

(a) to (e) A statement is laid on the Table of the House.

STATEMENT REFERRED TO IN REPLY TO PARTS (a) TO (e) OF THE LOK SABHA STARRED UESTION NO. 265 BY SHRI PRABODH PANDA AND DR. DHIRENDRA AGARWAL REGARDING `FOREST RIGHTS OF TRIBALS` DUE FOR REPLY ON 12.12.2005

(a)&(b) The Ministry of Environment and Forests has issued guidelines on 18.09.1990 under the Forest (Conservation) Act, 1980 for grant of traditional rights of forest dwellers, including tribals, over forest land. Such traditional rights over forest land include settlement of disputed claims over forest land, regularisation of eligible encroachment of forest land, conversion of forest villages into revenue villages and regularisation of eligible pattas/grants/leases over forest land.

On the basis of the proposals received from the State Governments, about 3.66 lakh hectares of encroachment of forest land has been regularised and 511 forest villages have been converted into revenue villages under the guidelines dated 18.09.1990. This process of grant of traditional rights over forest land to forest dwellers, including tribals, came to a halt due to a ban imposed by the Hon`ble Supreme Court of India on de-reservation of forest land as well as regularisation of encroachment of forest land vide its orders dated 13.11.2000 and 23.11.2001 respectively. The Ministry is pursuing the matter with the Hon`ble Court to obtain a suitable modification in the orders so that grant of traditional rights over forest land could be continued further under the Forest (Conservation) Act, 1980.

(c) The Ministry/of Environment and Forests, vide its letter dated 21.12.2004, has requested all the State/Union Territory Governments not to resort to eviction of forest dwellers, including tribals, other than ineligible encroachers of forest land till complete survey is carried out for recognition of such people and their rights on forest land as provided in the guidelines dated 18.09.1990 issued under the Forest (Conservation) Act, 1980. These instructions were reiterated on 17.10.2005. On 03.11.2005, the Ministry has issued detailed revised guidelines for verification/recognition of such rights on forest land and again requested the State/Union Territory Governments to complete the entire process within a period of one year.

(d)&(e) Rehabilitation package for the evicted ineligible encroachers, if any, needs to be provided by the concerned State/Union Territory Government.